

FILE COPY

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FEB - 7 - 1960

IN THE

Supreme Court of the United States

OCTOBER TERM, 1960

No. 34

TIMES FILM CORPORATION,

Petitioner,

v.

**CITY OF CHICAGO, RICHARD J. DALEY and
TIMOTHY J. O'CONNOR,**

Respondents.

**MOTION FOR LEAVE TO FILE A BRIEF ON BE-
HALF OF MOTION PICTURE ASSOCIATION OF
AMERICA, INC., AS AMICUS CURIAE IN SUPPORT
OF THE PETITION FOR REHEARING**

SIDNEY A. SCHREIBER,

*Attorney for Motion Picture Association
of America, Inc., as Amicus Curiae.*

BARBARA A. SCOTT,

of Counsel.

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vs.

CITY OF CHICAGO, RICHARD J. DALEY and
TIMOTHY J. O'CONNOR,

Respondents.

MOTION FOR LEAVE TO FILE A BRIEF ON BEHALF OF MOTION PICTURE ASSOCIATION OF AMERICA, INC., AS AMICUS CURIAE IN SUPPORT OF THE PETITION FOR REHEARING

Motion Picture Association of America, Inc. hereby respectfully moves for leave to file as *amicus curiae* in this case a brief in support of the petition for rehearing. The consent of the attorney for the petitioner has been obtained. On February 3, 1961 movant sent a telegram to the attorney for the respondent. A copy of that telegram is appended hereto. No acknowledgment has been received.

Motion Picture Association of America is a corporation, organized in March, 1922 under the Membership Corporations Law of New York, for the objects, among others, of fostering the common interests of those engaged in the motion picture industry in the United States by establishing and maintaining the highest possible moral and artistic standards in motion picture production, by developing the educational as well as the entertainment value and general usefulness of the motion picture, and by diffusing accurate and reliable information with reference to the industry.

The President of the Association is Eric A. Johnston and its membership is composed of the largest and most important companies engaged in production and distribution of motion pictures. Its distributing company members are: Allied Artists Pictures Corporation, Buena Vista Film Distribution Company, Inc., Columbia Pictures Corporation, Metro-Goldwyn-Mayer Inc., Paramount Pictures Corporation, Twentieth Century-Fox Film Corp., United Artists Corporation, Universal Pictures Company, Inc., and Warner Bros. Pictures Distributing Corp. These companies distribute motion pictures made by them or by others for distribution by them at studios, mainly in Los Angeles, and sometimes abroad. They furnish, it is estimated, more than 90% of the motion pictures annually exhibited in motion picture theatres in cities, towns and villages throughout the United States, including the City of Chicago. The petitioner, Times Film Corporation, is not a member of the Association.

By order of this Court, 364 U. S. 805, the Motion Picture Association was granted leave to file a brief as *amicus curiae* in this cause.

It is believed that the brief of the Motion Picture Association in support of the petition for rehearing, which the Association requests permission to file as *amicus curiae*, will aid the Court in determining petitioner's request for a rehearing.

WHEREFORE, it is respectfully urged that Motion Picture Association be granted leave to file herewith its brief as *amicus curiae*.

Respectfully submitted,

SIDNEY A. SCHREIBER,

*Attorney for Motion Picture
Association of America, Inc.*

28 West 44th Street,
New York 36, New York.

BARBARA A. SCOTT,
of Counsel.

New York, February 27, 1961.

Appendix A

WESTERN UNION

Sending Blank

February 3, 1961

JOHN C. MELANIPHY, ESQ.
511 CITY HALL
CHICAGO, ILLINOIS

RE: TIMES FILM v. CHICAGO. KINDLY REQUEST
CONSENT OF CITY OF CHICAGO TO MOTION PICTURE
ASSOCIATION'S FILING BRIEF AMICUS CURIAE IN
SUPPORT OF A PETITION FOR REHEARING IN ABOVE
ACTION. PLEASE ADVISE.

SIDNEY SCHREIBER, GENERAL ATTORNEY
MOTION PICTURE ASSOCIATION
28 WEST 44 STREET, NEW YORK